

Appl. No. 10/604,798
Amdt. dated October 28, 2004
Reply to Office action of August 16, 2004

REMARKS/ARGUMENTS

Claims 1-5 are rejected under 35 U.S.C. 102(b) because of U.S. Pat. No. 5,761,121 to Chang.

5 In reply to this, claim 1 has been amended as set forth in the above amendment section. No new matter is introduced. The Examiner alleges that in col. 3, lines 6-39 of U.S. Pat. No. 5,761,121 Chang discloses that a control gate is omitted in his design of EPROM cell. However, this is respectfully disagreed with because Chang's EPROM cell effectively requires a control gate. Please see col. 3, lines 17-21, and FIGS 1 and 2,
10 Chang teaches "A P-type buried diffusion layer 36 serves as the control gate of cell 10 (FIGS. 1 and 2). A contact region 38 is opened in floating gate 26 and in a layer of oxide 40 interposed between floating gate 26 and control gate 36 to enable electrical contact with buried control gate 36". As can be seen in Table 1 of the cited patent, a voltage of 5-15V is applied to the control gate, i.e., the buried control gate 36 of the cell, in order to
15 implement the program mode. Chang does not teach anything about omitting a control gate in his EPROM cell.

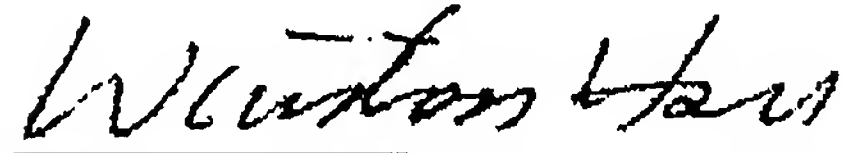
As claims 2-5 are dependent upon the amended claim 1, they should be allowable if claim 1 is allowed. Réconsideration of claims 2-5 is therefore politely requested.

In light of the above, Applicants believe that the limitation "a control gate or
20 buried control gate capacitively coupled to said floating gate is omitted" as required by the amended claim 1 is not taught in the cited U.S. Pat. No. 5,761,121. A timely Notice of Allowance is therefore requested.

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Sincerely yours,

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